

Welcome to GSA Fleet's Desktop Workshop



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Additionally, a copy of the presentation along with a certificate will be emailed after the session.



Questions: Use the Q&A window to ask questions at any time. You may get a typed response or it may be answered aloud at the end of the presentation.



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Desktop Workshop

Federal Fleet Management Regulations

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Presented by: Connie Aaron, GSA OGP
September, 2021

Federal Fleet Management Regulations

During **part one** of this Desktop Workshop we will:

- Explore how Federal regulations governing motor vehicle management fit into an overall framework of laws, regulations, and policies.
- Cover Federal Management Regulation (FMR) 41 CFR 102-34 Motor Vehicle Management and how it relates to your job as a fleet manager in the field.

During **part two** of this Desktop Workshop we will:

- Dive deeper into FMR 41 CFR 102-34 Motor Vehicle Management
- Discuss 102-5 Home to Work Transportation
- Cover frequently asked questions regarding official use, toll management, contractor use of government vehicles and much more!

Profile: Federal Motor Vehicle Fleets

Total Inventory: 657,506

Increased 2.7% over FY 2015

20 Large Fleets (> 2,000 veh)

Miles Traveled: 4.16 billion

Operating Costs: \$4.2 billion

Fleet Composition by Vehicle Type

Trucks: 64%

Sedans: 35%

Buses/Ambulances: <2%

Fleet Composition by Agency Type

USPS: 34%

Civilian: 38%

Military: 28%

Fleet Composition by Vehicle Source

Agency-owned: 68%

GSA Fleet: 31%

Commercial Lease: <1%

Source: FAST, FY 2020 dataset, 2021-05-10

Framework

- **Law**
- **Regulation**
- **Bulletin**
- **Agency Policy**
- **Executive Order**
- **OMB Circular**
- **Comptroller General Decisions**
- **Office of General Counsel Guidance**
- **Informed Decision-making**

It's the law...

- **1949 Federal Property & Admin. Services Act – GSA, Interagency Motor Pools**
- **1973/1990 Clean Air Act – Emissions**
- **1986 Pass. Carrier Act – Home-to-Work**
- **1989 Ethics Reform Act – Incidental Use**
- **1992/2005 Energy Policy Act – Alternative Fuels and AFVs**
- **Federal Motor Vehicle Expenditure Control Act (FMVEEC) 40 U.S.C 175**

adjustments to basis) is amended by striking “and” at the end of paragraph (23), by striking the period at the end of paragraph (24) and inserting “, and”, and by adding at the end thereof the following new paragraph:

“(25) in the case of property the acquisition of which resulted under section 1043 in the nonrecognition of any part of the gain realized on the sale of other property, to the extent provided in section 1043(c).”

(3) The table of sections for part III of subchapter O of chapter 1 of such Code is amended by adding at the end thereof the following new item:

“Sec. 1043. Sale of property to comply with conflict-of-interest requirements.”

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to sales after the date of the enactment of this Act.

SEC. 503. USE OF GOVERNMENT VEHICLES.

Notwithstanding any other provision of law, the head of each department, agency, or other entity of each branch of the Government shall prescribe by rule appropriate conditions for the **incidental** use, for other than official business, of vehicles owned or leased by the Government. Such use with respect to vehicles owned or leased by, or the cost of which is reimbursed by, the House of Representatives or the Senate shall be only as prescribed by rule of the House of Representatives or the Senate, as applicable.

SEC. 504. AMENDMENT TO THE FEDERAL ELECTION CAMPAIGN ACT OF 1971 TO ELIMINATE THE EXCESS CAMPAIGN FUND GRANDFATHER PROVISION.

26 USC 1016 note.

31 USC 1344 note.

1989 Ethics Reform Act- Incidental Use of GOVs

<https://www.govinfo.gov/content/pkg/STATUTE-103/pdf/STATUTE-103-Pg1716.pdf#page=9>

40 U.S.C.

United States Code, 2009 Edition

Title 40 - PUBLIC BUILDINGS, PROPERTY, AND WORKS

SUBTITLE VI - MISCELLANEOUS

CHAPTER 175 - FEDERAL MOTOR VEHICLE EXPENDITURE CONTROL

Sec. 17504 - Agency statements with respect to motor vehicle use

From the U.S. Government Publishing Office, www.gpo.gov

§17504. Agency statements with respect to motor vehicle use

(a) CONTENTS OF STATEMENT.—The head of each executive agency shall include with the appropriation request the agency submits under section 1108 of title 31 for each fiscal year, a statement—

(1) specifying—

(A) the total motor vehicle acquisition, maintenance, leasing, operation, and disposal costs (including obligations and outlays) the agency incurred in the most recently completed fiscal year; and

(B) an estimate of those costs for the fiscal year in which the request is submitted and for the succeeding fiscal year; and

(2) justifying why the existing and any new motor vehicle acquisition, maintenance, leasing, operation, and disposal requirements of the agency cannot be met through the Interagency Fleet Management System the Administrator of General Services operates, a qualified private fleet management firm, or any other method which is less costly to the Federal Government.

(b) COMPLIANCE WITH REQUIREMENTS.—The head of each executive agency shall comply with the requirements prescribed under section 17503(b) of this title in preparing each statement required under subsection (a).

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1284; Pub. L. 109–284, §6(32), Sept. 27, 2006, 120 Stat. 1214.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
17504	40:903.	Pub. L. 99–272, title XV, §15303, Apr. 7, 1986, 100 Stat. 336.

AMENDMENTS

2006—Subsec. (b). Pub. L. 109–284 substituted “With” for “with” in heading.

Federal Motor Vehicle Expenditure Control Act (FMVEC) 40 U.S.C 175

<https://www.govinfo.gov/content/pkg/USCODE-2009-title40/html/USCODE-2009-title40-subtitleVI-chap175-sec17504.htm>

Regulations

Federal Property Management Regulation & Federal Management Regulation (FPMR & FMR)

- **41 CFR 101-26.501 (Purchase of New Motor Vehicles)**
- **41 CFR 101-39 (Interagency Fleet Management Systems = GSA Fleet)**
 - **Currently in progress to be moved to the FMR**
 - **Significant amount of information has been migrated to GSA Fleet's Customer Leasing Guide**
 - https://drivethru.gsa.gov/help/Customer_Leasing_Guide.pdf

-
- **41 CFR 102-5 (Home-to-Work Transportation)**
 - **41 CFR 102-34 (Motor Vehicle Management)**
 - **41 CFR 102-39 (Replacement of Personal Property Pursuant to the Exchange/Sale Authority)**
 - **41 CFR 301 (Federal Travel Regulation)**

Regulatory Bulletins

Informational in nature-- Guidance, not mandates

FMR B-2	Use of Hand-held Wireless Telephones
FMR B-3	Use of Tobacco Products in Motor Vehicles
FMR B-6	Proceeds from Sale of Agency-owned Vehicles
FMR B-11	U.S. Government License Plate Codes
FMR B-15	Requirements for MIS in Federal Vehicle Fleets
FMR B-19	Increasing the Fuel Efficiency of the Federal Motor Vehicle Fleet
FMR B-28	Federal Employee Transportation and Shuttle Services
FMR B-29	Accurately Reporting Passenger Vehicle Inventory in FAST
FMR B-31	Government Motor Vehicle Fueling During Market Shortages
FMR B-33	AFV Guidance for Law Enforcement and Emergency Vehicle Fleets
FMR B-35	Home to Work Transportation
FMR B-38	Indirect Costs of Motor Vehicle Fleet Operations
FMR B-43	Vehicle Allocation Methodology for Agency Fleets (March 2017)
FMR B-48	Guidance on Exchange/Sale Financial Accounting for Personal Property
FMR B-53	Use of Government-issued Fleet Charge Cards

A lesson in Government...

The Executive Branch

- **EO 10579 – Interagency Motor Pools**
- **EO 13043 – Increasing Seat Belt Use**
- **EO 14008 – Tackling the Climate Crisis at Home and Abroad**
- **OMB Circular A-11 – Budget Process**
- **OMB Circular A-76 – Commercial Activities**
- **OMB Circular A-119- Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities (ASTM Standards)**

Motor Vehicle Management

41 CFR 102-34 Motor Vehicle Management

This part governs the economical and efficient management and control of motor vehicles that the Government owns, leases commercially or leases through GSA Fleet. Agencies will incorporate appropriate provisions of this part into contracts offering Government-furnished equipment in order to ensure adequate control over the use of motor vehicles.

- **Plain language, question and answer format**
- **Defines terms (vehicles types, sources of supply, replacement standards)**
- **Defines scope (Military design vehicles excluded, law enforcement vehicles excluded from most provisions)**

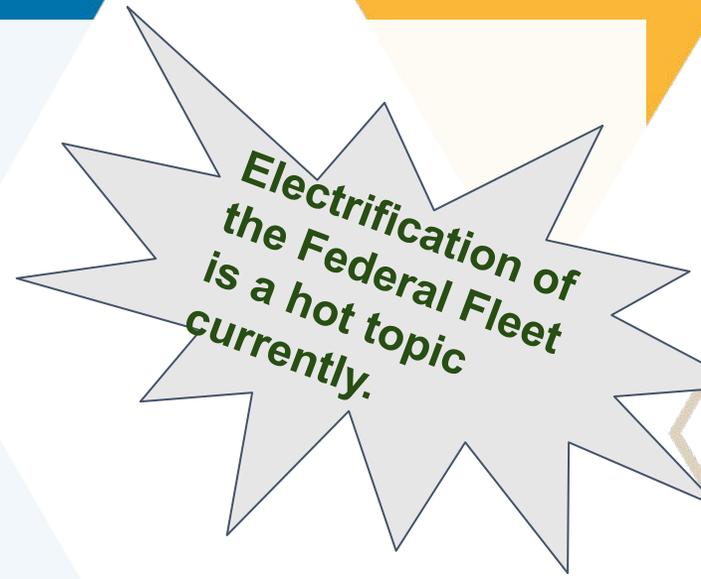
Fleet Management & Vehicle Life Cycle

- **Acquisition**
- **In-Use Management**
 - Identification and Registration
 - Official Use
 - Home to Work Transportation
 - Maintenance
 - Crash Management and Reporting
 - Fueling
 - Replacement Criteria
 - Asset Level Data Reporting
- **Disposal**



Motor Vehicle Management

Vehicle Acquisition



41 CFR 102-34 Motor Vehicle Management

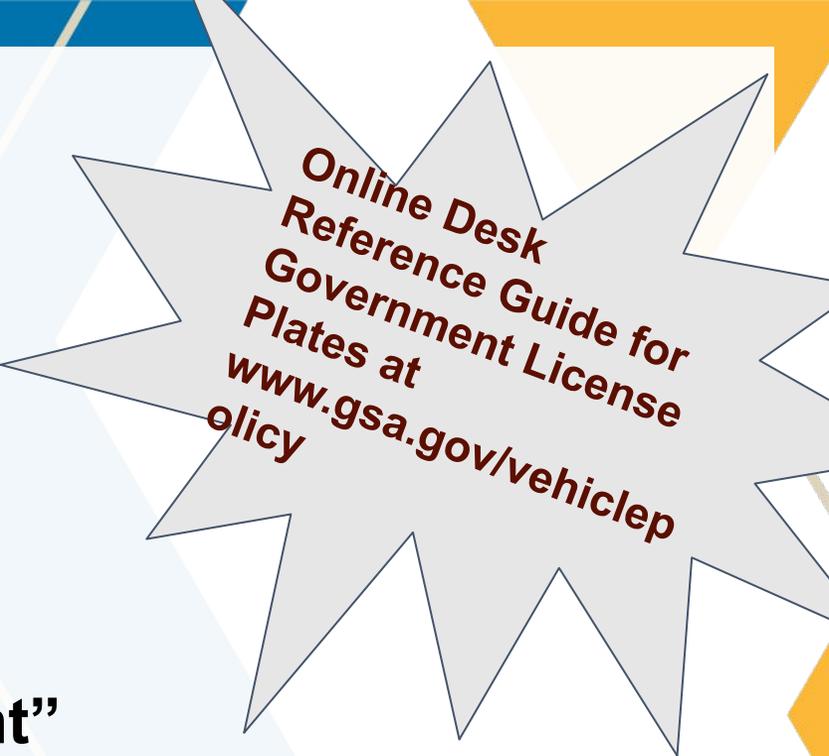
Subpart B- Obtaining Fuel Efficient Motor Vehicles

- Purchase and lease vehicles that achieve maximum fuel efficiency
- Have body types, engine sizes, and options essential to agency mission
- Establish and document a structured vehicle allocation methodology (VAM)
- Fleet average fuel economy standards published each year by the Department of Transportation (www.dot.gov)

Motor Vehicle Management In-Use Management

41 CFR 102-34 Motor Vehicle Management Subpart C- Identifying & Registering Motor Vehicles

- Display identification that indicates:
 - “For Official Use Only” & “U.S. Government”
 - Identification of the agency or service that owns or leases the vehicle (seal or tag code)
 - Federal license plate is the preferred location
- Register vehicles in the Federal Motor Vehicle Registration System (FMVRS)
- Obtain US Government license plates from UNICOR

A grey starburst graphic with multiple points, containing text about an online desk reference guide.

Online Desk
Reference Guide for
Government License
Plates at
www.gsa.gov/vehiclepolicy

Motor Vehicle Management

In-Use Management

41 CFR 102-34 Motor Vehicle Management
Subpart D- Official Use of Government Vehicles

Official Use is:

**Using a motor vehicle to perform
your agency's mission(s), as
authorized by your agency**

Motor Vehicle Management

In-Use Management

41 CFR 102-34 Motor Vehicle Management

Subpart D- Official Use of Government Vehicles

Driver responsibilities:

- **Operate, park, store, and lock as appropriate to prevent theft or damage**
- **Obey all State and Local traffic laws**
- **Use all safety devices including seat belts**
- **Pay any parking fees and fines**

Motor Vehicle Management

In-Use Management

41 CFR 102-34 Motor Vehicle Management

Subpart E- Replacement of Motor Vehicles

Minimum replacement standards:

- **Sedans - 3 years/60,000 miles**
- **Buses - Mileage only**
- **Trucks - By class, 6 years/50,000 miles minimum**

Motor Vehicle Management

In-Use Management

41 CFR 102-34 Motor Vehicle Management

Subpart F- Scheduled Maintenance of Motor Vehicles

Requires scheduled maintenance programs:

- Meet emission standards**
- Meet warranty requirements**
- Ensure safe & economical operation**
- Meet manufacturer recommendations**
- Ensure recalls are performed in a timely manner**

Motor Vehicle Management

In-Use Management

41 CFR 102-34 Motor Vehicle Management

Subpart G- Motor Vehicle Crash Reporting

Report crashes as follows:

- **SF 91 - “Motor Vehicle Accident Report”**
- **SF 94 - “Statement of Witness”**
- **Follow internal agency directives for owned & leased vehicles**
- **Report crashes of GSA Fleet vehicles to GSA Fleet**

Motor Vehicle Management

Disposal

41 CFR 102-34 Motor Vehicle Management

Subpart H- Disposal of Motor Vehicles

Transfer ownership as follows:

**SF 97-1 - “U.S. Government Certificate to Obtain Title to a Motor Vehicle”
(Other forms may be required by jurisdiction)**

Consult the following regulations for detailed instruction:

41 CFR Part 102-38 “Sale of Personal Property”

**41 CFR Part 102-39 “Replacement of Personal Property Pursuant to the
Exchange/Sale Authority”**

Motor Vehicle Management

In-Use Management

41 CFR 102-34 Motor Vehicle Management

Subpart I- Motor Vehicle Fueling

Obtain fuel by:

Government charge card, fuel facility, or reimbursement (See OMB Circular A-123 for Gov't. charge card guidance)

Refuel using:

The fuel type & minimum grade recommended by the vehicle manufacturer

Motor Vehicle Management

In-Use Management

41 CFR 102-34 Motor Vehicle Management

Subpart J- Federal Motor Vehicle Fleet Report

The Federal Fleet Report (FFR) compiles:

- **Inventory, Acquisition, Cost, Mileage and Fuel Use data for Federal motor vehicles**
- **Reported annually through the Federal Automotive Statistical Tool (FAST) <http://fastweb.inel.gov>**
- **FAST also used to submit data for Energy Policy Act (DOE) & OMB Circular A-11 Budget (OMB)**

Other Federal Fleet Related Regulations

Executive Order 13513 (2009)

- Federal Leadership on Reducing Text Messaging While Driving
- Agency issued internal guidance
- FAR Citation- Encouraging Contractor Policies to Ban Text Messaging While Driving

National Archives and Records Administration

- Formerly known as General Records Schedule 10
- GRS 5.4 Facility, Equipment, Vehicle, Property, and Supply Records
- <https://www.archives.gov/files/records-mgmt/grs/grs05-4.pdf>

OPM Regulates Drivers, not GSA

- **CFR Title 5 Part 930**
 - **Programs for Specific Positions and Examinations (Miscellaneous)**
 - **Subpart A- Motor Vehicle Operators**
 - **Definitions**
 - **Medical Examinations**
 - **Authorizations**
 - **Corrective Actions**
- **Does your agency internal policies on drivers reference this regulation?**



Environmental Regulations

Where do I look for help?

- **Department of Energy (DOE)**
 - Federal Energy Management Program (FEMP)
 - <https://energy.gov/eere/femp/federal-fleet-management>
- **Environmental Protection Agency (EPA)**
 - EISA 141- Section 141 of the 2007 Energy Independence and Security Act (EISA) requires federal agencies to acquire low greenhouse gas (GHG) emitting vehicles.
 - <https://www.epa.gov/regulations-emissions-vehicles-and-engines/federal-fleets-using-low-greenhouse-gas-emitting-vehicles>
- **Agency Sustainability Officer/Agency Climate Office**

Where do I go for policy questions in my agency?

- **Agency Fleet Manager**
- **Agency General Counsel's Office**
- **Agency Directives and Guidance Documents**

Resources

- **Federal Register (www.gpoaccess.gov/fr)**
 - daily publication site for Executive Orders, Regulations, Agency notices, etc.
- **Code of Federal Regulations (www.gpoaccess.gov/cfr)**
 - integrated publication of permanent rules (50 titles)
- **Federal Property Management Regulation & Federal Management Regulation (FPMR & FMR) (www.gsa.gov/fmr)**
- **Federal Acquisition Regulation (FAR) (www.gsa.gov/far)**
- **Federal Travel Regulation (FTR) (www.gsa.gov/ftr)**
- **Individual Agency Regulations and Directives**

Resources

Federal laws/statutes

- <https://www.gpo.gov/fdsys/browse/collectionUSCode.action?collectionCode=USCODE>

Government Accountability Office (GAO)

- Reports and Testimonies
 - <http://www.gao.gov/>
- Search Comptroller General Decisions
 - <http://www.gao.gov/legal/appropriations-law-decisions/search>

ASTM International Standard Guide for Fleet Management

- <https://www.astm.org/Standards/E2962.htm>

Resources

Office of Government-wide Policy

Office of Transportation and Asset Management

- **Vehicle Policy Division**
 - FMR 102-34 Motor Vehicle Management
 - FMR 102-5 Home to Work Transportation
 - FMR Bulletins
 - Federal License Plate Program
 - FMVRS
 - FAST and Federal Fleet Report
 - FEDFLEET Quarterly Meetings
- **Office of Evidence and Analysis-
Federal Fleet Inventory Tool**
- **Travel, Relocation, Mail &
Transportation Division- Federal
Travel Regulation (FTR)**
- **Personal Property Division- FMR
102-35 to FMR 102-42 (Disposal,
Exchange Sale, U&D)**

Federal Acquisition Service (FAS)

Office of Fleet Management

- **GSA Fleet (leasing and
buying)**
- **FedFMS and FMVRS**
- **Federal Fleet Certification**
- **Desktop Workshops**
- **FedFleet Annual Training**

Cool Things in Fleet Management

vehicle.policy@gsa.gov

Please email a picture of your vehicles in action!



Thank you for attending today's Desktop Workshop

For additional information on this topic contact:

vehicle.policy@gsa.gov

Looking for more federal fleet training?

- Check out the Federal Fleet Manager Certification Program - www.gsa.gov/ffmcp
- Register for future GSA Fleet Desktop Workshops - gsa.gov/gsa-fleet-training
- View past Desktop Workshops at <http://bit.ly/DtWRecordings>



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